



11595-8

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Bernd Spaniol

Application No.: 10/759,692

Group Art Unit: 1742

Filing Date: January 16, 2004

Examiner: Zheng, Lois L.

For: OXYGEN-ENRICHED NIOBIUM WIRE

Mail Stop AF

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD
OF PATENT APPEALS AND INTERFERENCES

Sir:

Applicant hereby appeals to the Board of Patent Appeal and Interferences from the Office Action dated January 11, 2007 of the Primary Examiner finally rejecting claims 1 and 2.

The Appeal Fee of \$500 should be

☐ Enclosed

☐ Not required (fee paid prior to appeal)

☒ Charge to Deposit Account No. 06-2143

If this communication is filed after the shortened statutory time period had elapsed and no separated Petition is enclosed, the Commissioner of Patents and Trademarks is petitioned, under 37 C.F.R. §1.136(a), to extend the time of filing a response by the number of months which will avoid abandonment under 37 C.F.R. §1.135. The fee under 37 C.F.R. §1.17 should be charged to our Deposit Account No. 06-2143. In the event that the actual

Appeal Fee is greater than the payment submitted herewith or is not enclosed, the Patent Office is authorized to charge the underpayment to Deposit Account No. 06-2143.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on July 11, 2007:

Rachel C. Maio

Name of applicant, assignee or
Registered Representative

Rachel C. Maio

Signature

July 11, 2007

Date of Signature

Respectfully submitted,

Rachel C. Maio

Rachel C. Maio

Registration No.: 55,420

Klaus P. Stoffel

Registration No.: 31,668

WOLFF & SAMSON PC

One Boland Drive

West Orange, New Jersey 07052

Telephone: (973) 530-2086

KPS:mj